THE HONOURABLE SRI JUSTICE V. ESWARAIAH

W.P. Nos.1955, 1973, 1996, 2005, 2019 and 2020 of 2006

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Date: 13-02-2006

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W.P. No.1955 of 2006

Between:

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Smt. Upparu Mangamma, W/o. Upparru Eranna,

Aged about 30 years, Uppar Colony,

D.No.5/180, Yemmiganur Town, Kurnool District and others.

… Petitioners

And

The District Collector,

Kurnool District, Kurnool and others.

… Respondents

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W.P. No.1973 of 2006

Between:

Smt. Akuthota Pullamma, W/o. A.Sudhakar,

Aged about 35 years, Military Colony,

H.No.1/1596, Yemmiganur, Kurnool District and others.

… Petitioners

And

The District Collector,

Kurnool District, Kurnool and others.

… Respondents.

W.P. No.1996 of 2006

Between:

A.Rathnamma, W/o. A. Raju,

Aged about 26 years, D.No.9/383/78, SC Colony,

Yemmiganur Town, Kurnool District and others.

… Petitioners

And

The District Collector,

Kurnool District, Kurnool and others.

… Respondents

W.P. No.2005 of 2006

Between:

Smt. Khajabi, W/o. Shaikshavali,

Aged about 31 years,

D.No.14/122, Minority Colony,

Yemmiganur, Kurnool District and others.

… Petitioners

And

The District Collector,

Kurnool District, Kurnool and others.

… Respondents

W.P. No.2019 of 2006

Between:

Smt. Theppali Someswareamma,

W/o T.Ayyanna, aged about 26 years,

Military Colony, Yemmiganur Town,

Kurnool District and others.

… Petitioners

And

The District Collector,

Kurnool District, Kurnool and others.

… Respondents.

W.P. No.2020 of 2006

Between:

Smt. Bugude Ampamma W/o Sreenivasulu,

Aged about 28 years, Sivanna Nagar,

D.No.9/1422, Yemmiganur Town,
Kurnool District and others.

… Petitioners

And

The District Collector,

Kurnool District, Kurnool and others.

… Respondents.

COMMON ORDER:

Heard the learned counsel appearing for the petitioners and the learned Government Pleader appearing for the respondents.

Learned counsel for the petitioners submits that different pattas have been granted to the petitioners for construction of house sites, within the stipulated period and some of the petitioners have constructed thatched houses and some of them could not construct the houses, as they could not get loans.

On the other hand, learned Government Pleader submits that as per the conditions of the patta certificate,
if the houses are not constructed within the stipulated time, the petitioners are liable to be terminated and the land can be resumed and assigned in favour of other persons.

A perusal of different proceedings shows that whether there was any violation or not is not known. Without issuing any notice and without giving reasonable opportunity to the petitioners, it cannot be said that the petitioners have violated the terms and conditions of the pattas.

Having regard to the facts and circumstances of the case, I am of the opinion that without following due procedure prescribed under the law, the petitioners cannot be dispossessed and their pattas cannot be assigned in favour of the third parties.

The Writ Petitions are accordingly disposed of as indicated above. No order as to costs.

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V. ESWARAIAH, J

Date: 13-02-2006

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